

NEW YORK HERALD.

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EDITOR AND PROPRIETOR.

OFFICE N. W. CORNER OF FULTON AND NASSAU STS.

TERMS cash in advance. Money sent by mail will be at the risk of the sender. None but bank bills current in New York taken.

THE DAILY HERALD, published every day in the year, except on Sundays and public holidays, at five cents per copy. Annual subscription price, \$12. The WEEKLY HERALD, every Saturday, at five cents per copy. Annual subscription price, \$6.

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Advertisements, to a limited number, will be inserted in the WEEKLY HERALD, the European and California Editions.

Volume XXXI. No. 114.

AMUSEMENTS THIS EVENING.

BROADWAY THEATRE, Broadway, near Broome street.—SOLON SINGLE—LIVE INDIAN.

WOOD'S THEATRE, Broadway, opposite the St. Nicholas Hotel.—SERIOUS FAMILY—HYPOCHONDRIA.

TRYING HALL, Irving place.—BLIND TOM'S GRAND PIANO CONCERTS.

SAN FRANCISCO MINSTRELS, 555 Broadway, opposite Metropolitan Hotel.—ETHIOPIAN SINGERS, DANIELA, &c.—THE BOARD OF HEALTH.

TONY PASTORI'S OPERA HOUSE, 201 Bowery.—SINGING, DANCING, BULLFIGHTING, &c.—THE BOND ROBBERS.

GEORGE CHRISTY'S OLD SCHOOL OF MINSTRELS, BROADWAY, Musical Gen. &c. Fifth Avenue Opera House, Nos. 2 and 4 West Twenty-fourth street.—HARDY AND HIS ELEPHANT.

HOPE CHAPPEL, 72 Broadway.—ALBERT BURNELL, FINESTRIKING AND VENTILATING.

HOOLEY'S OPERA HOUSE, Brooklyn.—ETHIOPIAN MINSTRELS.—BROADWAY, BULLFIGHTING AND PANTOMIME.

NEW YORK MUSEUM OF ANATOMY, 618 Broadway.—OPEN FROM 10 A. M. TO 10 P. M.

WITH SUPPLEMENT.

New York, Tuesday, April 24, 1866.

ADVERTISING OF THE CITY PRESS.

The Herald the Great Organ of the Business and Reading Public.

Announced are the returns to the Internal Revenue Department of the receipts from advertising of all the daily papers of this city for two years. In the first column are the receipts for thirteen months, being the year 1864, with one month of 1865, and in the second column are the receipts for the twelve months of 1865—

| Paper. | Thirteen months ending Dec. 31, 1864. | For the year 1865. |
|------------------------|---------------------------------------|--------------------|
| Herald. | \$577,455 | \$663,199 |
| Tribune. | 200,000 | 201,941 |
| Times. | 251,812 | 254,412 |
| Evening Post. | 128,177 | 122,715 |
| World. | 125,000 | 127,304 |
| Journal of Commerce. | 109,595 | 117,646 |
| Transcript. | 62,444 | 164,461 |
| Staats Zeitung. | 87,500 | 126,380 |
| Sun. | 94,238 | 101,793 |
| Commercial Advertiser. | 60,322 | 77,556 |
| Daily News. | 48,968 | 77,048 |
| Evening Express. | 82,360 | 68,742 |
| New York Democrat. | 21,092 | 26,734 |
| Totals. | \$1,878,997 | \$2,485,724 |

This shows the HERALD to be, by its extensive and comprehensive circulation, the chief organ of the advertisers of the Metropolis, and the medium of communicating their business wants to the public.

NOTE.

The Times and Tribune, in order to make a show of business, publish statements pretending that they are from official returns to the Revenue Department. These statements are made up in the Times and Tribune offices to suit their own purposes, and very curiously the Times shows a larger business than the Tribune, and the Tribune a larger business than the Times! But no returns of the kind have ever been made to that department. Our table, given above, is taken from the official books and is strictly correct in every particular. Any one can satisfy himself on this point by inspecting the books at the Internal Revenue Office.

THE NEWS.

MEXICO.

The diplomatic correspondence between Secretary Seward and the Marquis de Monteholm in relation to the presence of French troops in Mexico, and communications in relation to the same matters from the Secretary to Mr. Bigelow, our Minister at Paris, and to Mr. Motley, our Minister at Vienna, were presented for the consideration of the House of Representatives yesterday by the President, with his message, in answer to a resolution asking for information relative to the proposed evacuation of Mexico by the French. In answer to the Marquis de Monteholm, Mr. Seward, accepting the explanation of the motives and objects of France in exercising the right of war, and the right to withdraw what remains of her army there when she is able to do so with safety to her citizens and respect to herself, maintains that the attempted subversion of republicanism there is regarded by the United States as having been undertaken against the will and opinions of the Mexican people. It therefore recognizes and must continue to recognize in Mexico only the ancient republic and can in no case involve itself in relation with the institution of Prince Maximilian. France cannot expect the United States to go further than to assure her of our desire to facilitate the withdrawal of French troops from Mexico and in that purpose do whatsoever shall be compatible with our just regards for the sovereign rights of that republic. Mr. Seward was officially informed by the Marquis de Monteholm, on the 4th of April, that the Emperor had decided to withdraw the French troops in three detachments, the first to leave in November, 1866, the second in March, and the third in November, 1867.

In his communications to Mr. Motley, our minister at Vienna, Mr. Seward, having learned that ten thousand Austrians were to be fitted out by the diplomatic representative of Maximilian for service in Mexico, directs the former to ask frank explanations of the matter from Austria, emphatically protest against it if true, and to state that the United States, in the event of a war of this kind, cannot engage to remain silent or neutral.

Passengers from Panama who arrived in San Francisco state that a French frigate at Acapulco had been confirmed in the report that the French were defeated at Mazatlan, and further news to the effect that they were again routed near Tepic. The imperialist consul, however, had received official dispatches from Mazatlan denying both reports.

Advices of the 14th inst. state that General Mejia, in retreating to Matamoros, was ambushed by Cortinas, but was able in penetrating it with a loss of six killed. He brought into Matamoros two hundred wagons and \$500,000 in coin.

CONGRESS.

In the Senate yesterday a resolution was adopted instructing the Committee on Commerce to inquire into the expediency of providing against the importation, transportation and manufacture of nitro-glycerine. The bill for the better organization of the pay department of the navy was passed with an amendment that all future appointments in that department shall be from those who have served two years therein. The bill making appropriations for the Post Office Department was called up, and an amendment was offered, providing that no person appointed in any department of the government during the recess of the Senate, and whose appointment is confirmed or revoked by the Senate, shall receive any salary or compensation for his services, unless he be appointed to fill a vacancy occurring during the recess of the Senate.

adjourned without taking any action on the bill or the amendment.

In the House a resolution was offered, which lays over until next Monday, instructing the Committee on Public Expenditures to investigate the compromise of funds on the revenue alleged to have taken place in connection with the Boston Custom House. A resolution was adopted instructing the Committee on Commerce to inquire into the subject of the storage and transportation of combustible matter. The resolution calling for the speedy trial of Jeff Davis went over under the rules to next Monday. The Judiciary Committee reported adversely to the President's proposition to modify the test oath. The consideration of the Army bill a motion was made to postpone it until next December. No action was taken on the motion, as a motion to adjourn intervened.

FENIANS.

Leading politicians in Montreal are of the opinion that Mr. Killian and Mr. D'Arcy McGee have formed an alliance for the benefit of each other, and that the movement at Eastport is intended to further the provincial confederation scheme.

Colonel Wheeler remains in Canada, with the intention, as stated by himself, of travelling through it. He denies, in a newspaper card, that he is a government spy.

At Calais the excitement was revived yesterday by an attack on the British guard on the other side of the St. Croix bridge, by two American citizens, to whom he refused permission to pass into St. Stephens. One of them, while returning, fired a pistol shot at the guard, which did not, however, take effect. They were both arrested and turned over to the civil authorities. It is supposed they will be demanded under the extradition treaty, as the act was committed on English ground. A rescue, it is feared, will be attempted by the Fenians.

The United States gunboat De Soto arrived at Eastport yesterday.

At Oswego three cases of muskets were seized on Sunday, by order of the Department of the East, and a search for more was instituted. The Fenians were greatly excited in consequence.

MISCELLANEOUS.

The news this morning from lower quarantine is more encouraging than it has been any day since the arrival of the steamship Virginia at this port. There are but seventy-three cases now on the Falcon. Two deaths occurred on board of the steamer England—one old lady and one infant—but neither of them were from cholera. The remainder of the passengers are in good health, and appear to be very cheerful, looking upon their detention as being an absolute necessity.

At a meeting of the Board of Aldermen yesterday a resolution directing the Committee on Lamps and Gas to inquire into the advisability of creating a department in the city government with the object of furnishing cheaper and better gas to the citizens of the metropolis, was referred to the committee in question. A resolution to reduce the salary of the Corporation Attorney to the sum of two thousand dollars was referred to the Committee on Salaries and Offices. The Board concurred in a resolution emanating from the Board of Councilmen directing the Corporation Counsel to sue all railway companies charging more fare than they are allowed to by their charters. The proposed extension of Worth street was referred to, but further consideration of the question was postponed. The Board adjourned to Thursday next.

The Board of Councilmen met yesterday. A resolution requesting the Board of Health to establish free public baths throughout the city during the summer was referred to the Committee on Police.

A large number of the leading citizens of the metropolis met last evening at the rooms of the Geographical Society, Clinton Hall, to complete the organization of the American Society for the Prevention of Cruelty to Animals, under an act of incorporation passed by the late Legislature. Henry Burgh, was elected President; W. C. Woodell, Secretary; Wm. Mott, Treasurer; and also an executive committee of fifteen, and ten vice presidents. A subscription list was opened for the purpose of assisting the society in its good work, and it will remain open at the library of the Geographical Society.

Mr. Samuel G. Courtney was yesterday formally inducted into the office of United States District Attorney for the Southern district of the State, succeeding therein the late Hon. Daniel S. Dickinson. The new incumbent was accompanied into court by Mr. Blackford, of this city, and Judge Ames, of Washington, a large number of members of the bar being also present in compliment to the appointee. The oath of office and of allegiance required upon such occasions were taken before Judge Beets, and proper record made thereof.

Mayor Robson yesterday directed Fire Marshal Baker, as a vessel was expected at this port laden with nitro-glycerine, to have that dangerous substance properly stored and guarded on its arrival.

The trial of Otto Bursteinblender, before Commissioner Beets, for the alleged careless shipment of the nitro-glycerine which exploded in San Francisco, was continued yesterday, and several witnesses examined for the defence. The chief point of the evidence was to show the careless manner in which large quantities of this powerful explosive fluid was carried from place to place in New York. The trial was adjourned to Wednesday.

Judge James, in the case of Hattie M. Tighman against George W. Hunt, has rendered an important decision, which bears upon the right of hotel proprietors in claims against depositors who owe for board and lodging. The plaintiff stopped at the hotel of defendant in this city, and left owing a bill of \$80 48, for which her trunk and clothing were detained. The plaintiff afterwards obtained possession of the trunk. The Judge decided that defendant was entitled to judgment for the return of the trunk and contents or the value thereof to the sum of \$80 48, if a return could not be had.

Dr. J. G. Webster delivered last evening, in the Chapel of the University, the first of two lectures on the cholera, descriptive of the symptoms, progress and results of the disease.

Two men were arrested on Saturday night, in Warren street, suspected of being burglars, but a search disclosed the fact that they were in possession of a bottle of phosphorus submerged in water, a quantity of oxalic acid and tinder. They confessed that their intention was to burn down a store near which they were seized.

An affray occurred in the tenement house No. 254 East Fourteenth street on Sunday evening which resulted in the serious wounding of Patrick Donnelly, it is alleged by two brothers named O'Reilly. Donnelly's injuries, it is feared, will prove fatal. The parties who committed the assault were arrested and committed to await the result.

Lewis Clark and Charles Dennis, charged with the recent bond robbery in Madison avenue, amounting to one hundred and sixty-four thousand dollars, were examined yesterday. The only witness examined was Mr. John P. Moore, the owner of the bonds. The case was adjourned until Wednesday.

Yesterday, according to the best authorities upon the subject, was the three hundred and second anniversary of the birth of the great poet, Shakspeare.

A delegation of Knights Templar of the United States called to pay their respects to President Johnson yesterday.

Governor Fenton's private secretary has, by his direction, forwarded the Central Railroad fare bill to the Secretary of State without his approval.

The new constitution of Texas has the basis of representation on the white population, the old one fixed it on the free population. The Legislature is enjoined to encourage schools among the freedmen.

A military commission in Charleston, which has been trying certain parties for the murder of a United States soldier while on guard duty at Anderson, S. C., has sentenced two men, named Stowers and Krie, to be hung next Friday, and the others to imprisonment for life.

The coroner's jury on the nitro-glycerine case in San Francisco have expressed the opinion that the shipper of the article is guilty of manslaughter, and should be prosecuted.

The stock market was strong yesterday, and prices advanced. Governments were strong. Gold was steady, and closed at 129 1/4.

Business was very dull yesterday, and, as a general thing, imported goods were held firm in anticipation of higher rates of duty; but domestic goods were quite generally nominal. In the cotton market there was scarcely any movement. Buyers and sellers were far apart in their views, the difference sometimes being 10 cts per lb. Sugar was rather quiet, but prices were steady. Coffee was heavy. On Change flour was lower. Wheat also lower. Corn dull. Oats quiet. Pork steady. Beef firm. Lard firm. Butter and cheese quiet and almost nominal, and whiskey unchanged in every respect.

THE HEALTH COMMISSIONERS should request the Croton Board to let the water run through the gutters for twelve hours. It will sweep away many of the seeds of disease.

The Withdrawal of the French from Mexico.—The Official Notification.

We have the information from Washington that Count Monteholm, the French Minister, on Saturday last waited upon the Secretary of State and "presented the formal adhesion of the French government to the American principle of non-intervention as explained by our government;" that the Emperor Napoleon kindly and cordially replies to the United States, and engages to withdraw his troops in three detachments, one of them next November, and the others in May and November, 1867. An abstract of the correspondence on the subject, in answer to a recent resolution of the House of Representatives, was laid before that body yesterday by Secretary Seward and published in the HERALD this morning.

Accepting these promises of Napoleon in good faith, and with the full belief that he has relinquished the "grand idea" suggested by Marshal Forey, we may now consider the Mexican question settled in favor of the Monroe doctrine. We accept the engagement to withdraw the French troops as the surrender of the whole case by Napoleon, the inevitable alternative resulting from the downfall of Jeff Davis. Upon this point it is not unlikely that in the outset Napoleon was led astray by the dazzling representations of Sillidell of the monopoly of American commerce by a Southern confederacy, and a French protectorate in Mexico, established under a firm alliance on the basis of free trade. Napoleon, however, is prepared for a graceful retirement. He falls back upon his Mexican indemnities. For these he looks to Maximilian, and to secure them he delays the recall of the last instalment of the French troops till November, 1867. In the interval Maximilian must "make his hay while the sun shines;" but as it appears that no French reinforcements are going in to supply his losses in the field we shall not be surprised if the removal of the first detachment were to start his Imperial Majesty of Mexico out of "the halls of the Montezumas" on the road to Vera Cruz. The liberals, in some mysterious way, are beginning to be supplied with efficient arms, and from their present activity between Matamoros and Mazatlan we are inclined to think that the departure of the first instalment of the French will be the signal for a combination of liberal movements which will give them their capital.

It must be remembered, meantime, that, according to Napoleon, the government of Maximilian is a creation of the Mexican people, as expressed in a special election in the presence of the French troops. After the withdrawal of those troops, therefore, and the settlement of certain French indemnities, if the Mexican people should forcibly expel or earnestly invite Maximilian to remain and rule over them, it is their affair, and not Napoleon's. He is pledged to the French people, after the fashion of the Bonapartes, to respect the popular will. Thus the nephew and his uncle were each confirmed as Emperor of the French, and thus Maximilian, by the popular will, as the French have been made to understand it, is Emperor of Mexico. While Napoleon, then, withdraws his troops in deference to the United States, he leaves Maximilian still subject to the will of the Mexican people. This is doubtless the understanding between Louis Napoleon and Andrew Johnson, and we incline to the opinion that it will be perfectly satisfactory to President Juarez and the Mexicans. In "the formal adhesion of the French government to the American principle of non-intervention" we secure all that we desire from Napoleon, and it would be absurd to suppose that Austria, with or without his consent, would undertake to establish a transatlantic imperial protectorate which Napoleon has formally abandoned as a blunder and a failure.

It is stated that the Secretary of State has given instructions to our Minister at Vienna regarding the sending of Austrian soldiers to Mexico, and that he protests against such action in terms that cannot be very well misunderstood by the Austrian government.

MORTALITY IT IS SAID IS INCREASING on the steamer Virginia in the lower bay. We have no fear of it if the Health Commissioners do their duty by abating the nuisances in the city.

THE LOTTERY MANAGERS—THEIR SHARP PRACTICE IN CONGRESS.—An important suit was commenced in the Superior Court in this city on Saturday last, in reference to the lottery policy business. A complaint was made in regard to the illegal nature of that business, and upon that an order for the arrest of certain lottery managers was asked and granted, and the sheriff of the county directed to arrest the parties named. These proceedings would be of no particular general interest were it not for facts that it is anticipated the trial will develop in regard to a sharp practice in inserting a clause in the Internal Revenue law at Washington during the last session of Congress, under which this lottery policy business is now conducted. Under the laws of this State the lottery and policy trade is declared unlawful. But it seems that the lottery managers have resorted to various artifices to legalize the business, and among other schemes adopted for this purpose was one to get themselves taxed by the government under the Internal Revenue law, and in that form obtain a legal recognition. Having accomplished this object, their next project was to place the private dealers in tickets under the control of the owners and managers of the lottery. This seems to have been the whole mission and the particular business of Ben Wood in Congress. After the Tax bill had passed the House of Representatives, and while pending in the Senate, a provision was adroitly inserted declaring that "no license shall hereafter be issued until the managers of a lottery now existing shall give bonds in the sum of one thousand dollars that the person receiving such license shall not sell any ticket or supplementary ticket of such lottery which has not been duly stamped according to law." This, as a matter of course, placed all the vendors of lottery tickets at the mercy of Ben Wood and his associates, and placed the matter in the shape that Wood & Company, or "the managers of a lottery now existing," are the only parties responsible to the government for the tax prescribed under the law.

This is certainly a very singular provision of law, and its adoption can only be accounted for on the system of sharp practice in the hurry of business. The bonds of Astor or any of our wealthy merchants cannot be received. If offered they are to be set aside until Ben Wood and associates have made their terms with the vendors and given their bond. The

vendors themselves are not responsible to the government, under the law, nor to anybody else except so far as they may be obliged to make private bargains with the managers of the lottery to get them to endorse their bonds. As no bonds but those of the managers will do, they have a monopoly of the business and can dictate their own terms for becoming sureties. The Committee of Ways and Means are now engaged in readjusting the internal revenue laws, and we call upon them to modify this provision. The lottery policy business is only a species of gambling, by which thousands of innocent persons are constantly being fleeced, and should be abolished altogether. But if the general government finds it necessary to regulate a tax upon the trade, by all means let it be done in a way that will not increase the power of the managers of those concerns and assist them in defrauding the public. We object to Congress legalizing the business under any such subterfuges as the provisions which now exist in the tax law.

More New Theatres.

In addition to the French theatre now in course of construction, there is another building being erected which will prove a great relief to the metropolitan community when it is completed. We refer to the new Opera House, on Fourteenth street, opposite Steinway's. We understand that it will be a compact and elegant theatre, suitable alike for opera and the drama, and will altogether supersede the dreary catcombs on the other side of the way. The Academy can be used for what it is best fitted—political meetings and religious services, like the old Broadway Tabernacle. When we have the French theatre for comic opera, and French dramas, the Fourteenth street Opera House for Italian opera, and Steinway's splendid new hall for concerts, our wants in these respects will be pretty well supplied, and the "establishments" that do not advertise in the New York HERALD will be defunct. These new structures are all designed to suit the present public taste. They will be elegant and comfortable in their interior arrangements, and especially calculated for musical effect. All the modern compositions are set higher than the music of a hundred years ago; the orchestras are pitched higher, and it demands an immense effort of the voice to produce any effect in such monstrous barns as the Academy of Music. Consequently we find that what might be called singing in a moderate sized house constructed on acoustic principles is only screaming in the former building. The best of artists sang there at a great disadvantage, while the poor strained voices that have been lately holding forth cannot be said to have sung at all. Hence it was that the audiences did not go to the Academy to enjoy the opera so much as to fulfil the obligations of fashion and have a pleasant reunion with their friends. Two centuries ago, in the early days of the playhouse, cavaliers and nobles of the court were accustomed to frequent the theatre as a general rendezvous, because they had no better place to go to, even crude and almost uninteresting as the theatre then was. It has been pretty much the same for some time with the Irving place barn. Certainly, whatever was the attraction to the limited audiences—whether fashion, sociability or flirtation—it was not the music.

We hope soon to see a reformation in all this. By proper management in the new theatres the public will be favored with the kind of amusements they desire. There are plenty of rich repertoires to be drawn upon, plenty of French and English light operas, brilliant plays and vaudevilles that the audience can thoroughly enjoy and the critic can conscientiously praise. It was because we would not accept as first class artists singers with broken down voices, of which the public were thoroughly tired, that the present "establishments" did not advertise in the New York HERALD. It was because we would not puff stale old plays, or new immoral trash that "these establishments" did not advertise in the New York HERALD. It was because we demanded for the public something that was worth their money and good for their minds and morals that "these establishments" did not advertise in the New York HERALD. In short, it was because we could not be "manipulated" after the fashion of certain city papers, as shown in the Bateman trial, that "these establishments" did not advertise in the New York HERALD.

Such were the causes; now, what are the consequences? Slim houses, empty coffers, discontented actors, a demoralized drama, and—two new respectable theatres!

WE WILL PROBABLY have a hot spell after the rain of yesterday. Is the Board of Health prepared for it?

THE NEW EXCISE LAW.—Every good citizen must acknowledge that efforts to suppress intemperance should at all times be encouraged. No scourge can afflict a community more direfully than the vice of drunkenness, and it is a misfortune to find that it is spreading to the extent it is in our chief American cities. Legislation on the subject has not been able to reach or to restrict the spread of intemperance, from the very fact that most of the laws on the subject are so stringent that it is absolutely impossible to enforce them. This is the case, we fear, with the new excise law passed by the Legislature at the session just closed. Like many other laws, its provisions are so extravagant that there is danger of its becoming an utterly dead letter and only an encumbrance to our statute book. It creates the Metropolitan Board of Health, already possessed of extraordinary and plenary powers, into a Board of Excise, with authority to enforce its provisions. It forbids, under a penalty of fine and imprisonment, any person from selling liquors to any apprentice or person under eighteen years of age. How is this to be ascertained? Some youths nowadays eighteen years of age are as old as their grandfathers in the experiences of city life, and it would be difficult to establish the date of the birth of many of them with sufficient distinctness to satisfy a court of law. It forbids the selling of strong drink to a habitual drunkard or to an intoxicated person. Who is to define what an habitual drunkard is, or who is to establish at what stage of intoxication liquor must be denied to a person? It was a difficult matter for the supporters of the Maine Liquor law to define these points. No respectable dealer will ever sell strong drink to a confirmed drunkard, or to a person he believes to be in an improper condition to receive it. The law should be framed to reach persons who have no consciences, like many of the low grocery dealers, and not, as a sweeping pro-

vision, take in all alike—the man who trades in the pure article alike with the one who poisons his customers with the counterfeit. On a similar principle the dealer in good money would be placed on a par with the dealer in the spurious article and punished accordingly. The law condemns to fine and imprisonment any person giving or selling to any husband, wife, parent or child any strong drink against the request of either. How can this be made to work in our great hotels, where a promiscuous population is generally congregated or transiently stopping? It forbids the keeping open of liquor shops after twelve o'clock at night and completely closes them on Sunday. To respectable dealers such a law is unnecessary. The Sunday law can never be enforced among that immense class of population who have been accustomed to make Sunday a day of pastime and recreation. They are as religiously addicted to making the Sabbath a day of pleasure and innocent amusement as other classes of our people are to making it a day of church-going. The law denies the privilege of obtaining pay for indebtedness incurred in the sale of liquors in any quantity less than five gallons. This is a revival in part of the old Ten Gallon law of Massachusetts, which became so odious that it was repealed. In short, however much all good people may desire to have intemperance banished forever from our land, we do not think that great object can be attained through extreme and over-stringent summary laws.

HAVE ANY of the bone-bolling establishments on the Hudson River Railroad been suspended yet?

WEATHERBOOK OPINIONS.—Mr. Alexander Stephens, ex-Vice President of the defunct Southern confederacy, seems to be subject to very sudden changes and fluctuations of opinion. In 1861 he made a bold and uncompromising Union speech, which attracted and deserved the admiration of the whole country, and yet the next thing we heard of him he was over head and ears in rebellion, assisting to bring upon the Southern people the very evil against which he had warned them, and joining the very band of traitors whom he had denounced. In the same way Mr. Stephens publicly declared, when the war was over, that the South was satisfied and willing to regard the questions at issue during the war as settled, and ready to come quietly back into the Union; but now we find him declaring that the South still adheres to its dogma of State rights and will not relinquish this heresy, although no attempt will be made to enforce it at present. Here is a flat contradiction, an inconsistency as palpable as that of Mr. Stephens' conduct in 1861. The State rights heresy was one of the questions at issue, and it was decided against the South by force of arms. If it is to be revived we shall have another rebellion before many years, and it will be better to keep the South out in the cold than to run such a risk, if there be any risk. But we do not place much confidence in what Mr. Stephens may say of the South now. He has been manipulated by the copperheads and is playing into their hands and those of the radicals, just as he was manipulated by Jeff Davis and played into the hands of the secessionists when the rebellion was inaugurated. But he and the copperheads are only damaging their own cause. Every word they say about State rights strengthens the radicals. The sooner such nonsense ceases the better for the country and all concerned.

Precautionary Measures for the Storage of Nitro-Glycerine in This City.

It appears that the Mayor and Fire Marshal Baker are on the quiet for this explosive compound, which has recently produced such disastrous effects. The community will sustain their endeavors to rid the city of such a dangerous substance. If it must be used the precautionary measures in relation to gunpowder should at least be applicable to it. Let it be kept in small floating storerooms over on the Jersey side, or some other locality, where it would be likely to harm nobody except those who would wish to. The following order was issued to the Fire Marshal yesterday:

MAYOR'S OFFICE, New York, April 23, 1866.

FIRE MARSHAL BAKER.—I understand that a vessel is expected daily at this port with a quantity of nitro-glycerine on board. You will please, with the concurrence and not of the Customs House authorities, see that the same is properly stored and guarded, and immediately upon its arrival.

JOHN T. HOFFMAN, Mayor.

City Intelligence.

THE NEW BOARD OF EXCISE.—The various blanks prepared by the attorney for the new Board of Excise will be ready for issue to the applicants for licenses on Wednesday afternoon, by the Inspector of Excise, Colonel Hartman, No. 201 Mott street. There are now in this city nine thousand liquor dealers, of which number about four hundred and fifty are licensed. Consequently the run of applicants on the new board for some time to come will be very great. The Board of Excise Commissioners will hold their second meeting this afternoon.

OUR SPORTS.—In the Herald of Sunday morning, "Our Sports," printed in the Herald of Sunday morning, it was stated that the Athletic Club was composed of Bostonians. This is not the fact. They all hail from Philadelphia. But it makes little difference, as they are all New Yorkers now, and belong to an athletic club, the success of which they may well feel considerable pride.

DOWNED.—Captain Augustus Bowman, of the large Saratoga, lying at pier No. 37 North river, last evening fell overboard and was drowned before he could be rescued. The body had not been recovered up to a late hour.

Movements of General Grant.

RECORDED, New York, April 23, 1866.

Lieutenant General Grant and suite will leave for Washington, via Gordonville, to-morrow morning.

Overflow of the Mississippi in Louisiana.

NEW ORLEANS, April 23, 1866.

The parish of Baton Rouge, Iberville and Pointe Coupee are overflowed. It is reported that the grand levee at Morganza is broken.

General Gregory Ordered to Washington.

GALVESTON, TEXAS, April 22, 1866.

General Gregory, of the Freedmen's Bureau, has been dismissed and ordered to Washington.

The Liability of Guests to Hotel Proprietors.

A TEST CASE.—IMPORTANT OPINION OF THE COURT.

RETHREN COURT, CHIEF JUSTICE.—PART I.

Before Judge Jones.

Hattie M. Tighman vs. George W. Hunt.—The defendant in this case keeps a hotel in the city, at which the plaintiff paid for a room. The latter left the hotel owing the proprietor \$50 48, for which amount her trunk and some clothing were retained. A suit was brought by Mrs. Tighman to recover her property, and tried at the first term of the court, without a jury. Judge James has rendered the following decision, which was reserved on the conclusion of the trial in this case:

"The plaintiff came to this hotel before the court with out a jury, a jury having been waived in open court, and after hearing the proofs of the parties and the arguments of their respective counsel, I find the following facts, with my conclusions of law thereon:—That on the 14th day of April, 1866, the defendant, George W. Hunt, a resident of New York city, in New York city, at No. 254 East Fourteenth street, had a rooming house, and was acting as a guest, when she remained until the 26th of said month, her bill amounting to \$50 48. That on said 26th day of April, the plaintiff left said hotel without paying her bill, leaving her trunk and clothing of the value of over \$100. That said plaintiff's sending for said trunk and contents, and her refusal to pay the bill, was a breach of her contract with the defendant, and that she was liable to the defendant for the value of said trunk and contents, and that the defendant was entitled to a judgment for the return of the property, the trunk and contents, or the value thereof, to the sum of \$100 48. That the plaintiff, by her failure to pay her bill, and damages for taking and withholding of the same, was liable to the defendant for the sum of \$100 48. That I direct the defendant to be entered accordingly."

THE CHOLERA.

Precautionary Measures to Prevent the Introduction of the Disease into the City.

Official Report of Dr. Bissell Relative to the Hospital Ship.

NAMES OF THE SICK AND DEAD.

The latest intelligence from the lower quarantine is more encouraging than it has been any day since the arrival of the steamship Virginia in our harbor. There are at present but seventy-three cases now on board the hospital ship, and the number of new patients is daily growing smaller. All those on board of the England still retain their health and show no signs of having contracted the disease.

PRECAUTIONARY MEASURES.

Not only Dr. Dr. Sullivan constantly employed in relieving the distresses of those persons at present quarantined in the lower bay, but he is also engaged in preventing, so far as lies in his power, the introduction of any contagious diseases into this city. Every vessel arriving at this port with emigrants, even if hailing from healthy ports, is detained by the Health Officer at Quarantine, where it is subjected to a careful inspection for the purpose of ascertaining whether some infectious disease may not be lurking on board of such vessel in an incipient state. The passengers are examined separately before being permitted to come up to the city, and their entire baggage undergoes a thorough and effectual fumigation through the agency of chlorine, which is said to possess the strongest known properties. The skilful medical gentlemen on board of the hospital ship, with their veteran assistants, are doing all that skill and knowledge can suggest to stay the progress and prevent the spreading of the pestilence. They feel confident it can be confined on board of the Falcon, where they expect to check its course and prevent its committing such frightful ravages among the plague-stricken patients. Dr. Bissell and Dr. among the present visitors to the hospital ship, together with the board of the hospital ship, are doing all that skill and knowledge can suggest to stay the progress and prevent the spreading of the pestilence. They feel confident it can be confined on board of the Falcon, where they expect to check its course and prevent its committing such frightful ravages among the plague-stricken patients. Dr. Bissell and Dr. among the present visitors to the hospital ship, together with the board of the hospital ship, are doing all that skill and knowledge can suggest to stay the progress and prevent the spreading of the pestilence. They feel confident it can be confined on board of the Falcon, where they expect to check its course and prevent its committing such frightful ravages among the plague-stricken patients. Dr. Bissell and Dr. among the present visitors to the hospital ship, together with the board of the hospital ship, are doing all that skill and knowledge can suggest to stay the progress and prevent the spreading of the pestilence. They feel confident it can be confined on board of the Falcon, where they expect to check its course and prevent its committing such frightful ravages among the plague-stricken patients. Dr. Bissell and Dr. among the present visitors to the hospital ship, together with the board of the hospital ship, are doing all that skill and knowledge can suggest to stay the progress and prevent the spreading of the pestilence. They feel confident it can be confined on board of the Falcon, where they expect to check its course and prevent its committing such frightful ravages among the plague-stricken patients. Dr. Bissell and Dr. among the present visitors to the hospital ship, together with the board of the hospital ship, are doing all that skill and knowledge can suggest to stay the progress and prevent the spreading of the pestilence. They feel confident it can be confined on board of the Falcon, where they expect to check its course and prevent its committing such frightful ravages among the plague-stricken patients. Dr. Bissell and Dr. among the present visitors to the hospital ship, together with the board of the hospital ship, are doing all that skill and knowledge can suggest to stay the progress and prevent the spreading of the pestilence. They feel confident it